EXECUTIVE SUMMARY

Study for the FEMM committee

European Parliament

The impact of the gender data gap on consumer protection[1]

ABSTRACT

This study, commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the Committee on Women's rights and Gender Equality (FEMM), considers the impact the lack of gender-disaggregated data has on women and vulnerable social groups, as consumers of products and services. It examines the areas of AI-applications, health, transport, finance and consumer goods, highlighting health and safety risks. Drawing on good practices it makes recommendations for the design of products and services, gender equality and inclusion.

Background

Consumers assume that products are safe and improve their lives as citizens on equal terms. Nevertheless, an increasing volume of findings demonstrates that this assumption is erroneous. Globally, women are overrepresented in car crash fatalities and have less access to financial information and products; they are discriminated against by poorly designed algorithms in the provision of medical and other services and applications; they face gender bias in advertising.[2]

The EU human rights approach, together with the UN Millennium Development Goals (MDGs) and the Sustainable Development Goals (SDGs) set to target gender discrimination at the legal, social and institutional levels in the areas of employment, health and education.[3] However, gender equality has not been achieved. One of the main reasons for this is the lack or scarcity of gender-disaggregated data. Indeed, as reports by UN Women indicate, only 10 out of 54 gender-related indicators can be monitored reliably at the global level.[4]

Citizens as consumers are protected by EU legislation. Nonetheless, this legislation does not inform the processes of product and service design, which are primarily based on the needs of men and are conceptualised and designed by male engineers, designers and practitioners. Women are typically excluded from processes of design and delivery. The lack of sex- and gender-disaggregated data perpetuates this vicious circle, leading to products and services that do not address women's needs and raise issues not only of accessibility, suitability and usability, but also of health and safety.

1 Full study in English: https://www.europarl.europa.eu/RegData/etudes/STUD/2023/744205/IPOL_STU(2023)744205_EN.pdf

2 Leurent, H., Price, S. and Marshall, A., 'Five ways consumer advocates can address gender inequality', Consumers International blog, 2022, accessible at http://www.consumersinternational.org/news-resources/blog/posts/five-ways-consumer-advocates-can-address-gender-inequality

3 Odera, A. J. and Mulusa, J., 'SDGs: Gender equality and women's empowerment: What prospects for delivery?' in M. Kaltenbornet al. (eds) *Sustainable Development Goals and Human Rights*, Interdisciplinary Studies in Human Rights, 2020.; Razavi, S., 'The 2030 Agenda: Challenges of implementation to attain gender equality and women's rights', *Gender and Development*, Vol. 24, No 1, 2016, pp. 25-41.

4 http://www.unwomen.org/en/digital-library/sdg-report.

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Such issues are pertinent to the field of Artificial intelligence (AI) and the design of relevant systems, which are transforming the world of employment, education, finance, economy, and healthcare. Behind the often-obscure terminology of machine learning, deep learning, and predictive analytics, among others, lies the idea that AI tools are essentially algorithms (codified procedures for executing a task) that feed on data to produce outputs. Therefore, the quality, accuracy and adequacy of the data for these outputs are essential. The importance of disaggregated data cannot be overestimated, as algorithms and AI systems can perpetuate gender stereotypes and inequalities inherited from historical training data.[5]

In a similar vein, traditional practice in transport services and policies related to the organisation and accessibility of public spaces are often gender-blind and do not consider all genders' needs and how they vary from those of men, due to different socio-economic and cultural circumstances.

Additionally, women, intersex and transgender people have been neglected in the medical world. The design of medical treatments and devices, clinical trials, as well as the provision of medical services and the area of occupational health and safety have historically suffered from gender bias. The same problem is also encountered in the areas of taxation and financial services, as well as the design, testing and marketing of consumer goods.

Consequently, there is an urgent need for gender disaggregated data to inform the design and consumption of products and services and the use of technological systems that guarantee the human rights of safety and non-discrimination in consumption and delivery. Gender-disaggregation of data will help develop policies that contribute to the reduction of inequalities by targeting the relevant social groups and reduce gender inequalities.

Through an intersectional lens, the study will focus on the analysis of the impact of the lack of gender-disaggregated data on the design of products and services. Policy recommendations will be based on the review of good practices and international evidence.

Aims

- to identify the problem of the scarcity of sex- and gender-disaggregated data and highlight its importance from a human-rights, gender equality and non-discrimination perspective with regard to consumption of products and services;

- to examine the impact of this problem in the specific areas of AI, algorithms, robotics and AI-based technological systems; medicine and health, clinical trials and delivery of medical services; policies and organisation of transport, and public spaces; finance and taxation services; design and consumption of a number of consumer goods;

- to draw on good practices that have been adopted, notably at the EU level, aiming at a more gender-sensitive design and delivery that builds on gender-disaggregated data, accommodates the needs and considers the health and safety of all genders; and

- to make recommendations for gender-sensitive, inclusive and equitable policies to meet the need for increasing quality in data collection, which, combined with gender analysis, will include data of intersectional inequalities of women and non-binary people and better demonstrate the complex needs of different genders.

[5] Doughman, J., Khreich, W., El Gharib, M., Wiss, M. and Berjawi, Z., 'Gender bias in text: Origin, taxonomy and implications', *Proceedings of the 3rd workshop on gender bias in natural language processing*, Association for Computational Linguistics, 2021, pp, 34-44.

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